

FREDERICK COUNTY PLANNING COMMISSION

Minutes of Meeting for  
February 15, 2023 (day mtg)  
*In Person/Virtual Meeting*

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

Members Present: Craig Hicks, Chair; Joel Rensberger, Vice Chair; Tim Davis, Secretary; Sam Tressler III, Carole Sepe; Robert White, Jr., and Masai Troutman.

Members Absent: None

Staff Present: Mike Wilkins, Development Review and Planning Director; Kimberly Gaines, Livable Frederick Director; Kathy Mitchell, Senior Assistant County Attorney; Ashley Moore, Senior Planner; Graham Hubbard, Principal Planner II; Rod Winebrenner, Deputy Director, Division of Water and Sewer Utilities; Mark Mishler, Traffic Engineer; Denis Superczynski, Livable Frederick Planning Manager; Karin Flom, Livable Frederick Principal Planner; and Karen James, Administrative Specialist.

The meeting was called to order at 9:30p.m.

1. **PLEDGE OF ALLEGIANCE** – Mr. Hicks
2. **ROLL CALL** - Mr. Hicks
3. **MINUTES TO APPROVE** – December 14, 2022

**DECISION**

**Decision:** Mr. Davis moved to approve the minutes as submitted. Mr. Rensberger seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

4. **PLANNING COMMISSION COMMENTS**

Mr. Davis reported that the Transportation Services Advisory Council of Frederick County has one at-large representative opening and two business vacancies. Contact Mr. Davis or Joyce Grossnickle, Administrative Officer, Office of the County Executive.

5. **AGENCY COMMENTS / AGENDA BRIEFING**

**INFORMATIONAL**

Ms. Gaines announced upcoming meetings including 6:30 p.m. this day for the Gordon Mill Preliminary Plan and Site Plan. The March 8 day meeting will feature four Development Review items with the balance of the day reserved for Gordon Mill in the event it is continued. The March 8 night meeting will be a rezoning public hearing of Amendments to Cromwell

PUD. The March 15 meeting will include workshops on South Frederick Corridors Plan and Sugarloaf Rural Heritage Overlay District.

**6. FALL 2022 CYCLE - WATER & SEWERAGE PLAN AMENDMENTS**

**FINDING OF CONSISTENCY**

The Planning Commission heard the following cases to determine consistency with the County Comprehensive Plan or a municipal Comprehensive Plan.

*Kimberly Gaines, Director, Livable Frederick*

*Karin Flom, Principal Planner I, Livable Frederick*

Ms. Gaines announced that item WS-22-17 was being removed from the agenda as issues have come up that staff would like to have time to discuss with the property owner and their attorney.

**WS-22-14 Division of Planning & Permitting**

Requesting text amendment for addition of a water problem area to Section VI of Chapter 3 and septic problem area to Table 4.09 within Section VII of Chapter 4 of the Water and Sewerage Plan.

**Staff Presentation:** Karin Flom

**Public Comment:** 0

No discussion or comments from Planning Commission members.

**Decision:** Mr. Rensberger moved to find Case #WS-22-14 consistent with the County Comprehensive Plan. Mr. Tressler seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-15 Cross & Company, LLC (Patricia Simmers)**

Tax Map 19F, Parcel 1850. East side of Apples Church Road, 430 feet south of Graceham Road in the Town of Thurmont. Requesting reclassification of 0.25 acres from W-5, S-5 to W-3/Dev, S-3/Dev.

**Staff Presentation:** Karin Flom

Ms. Flom and applicant representatives Bruce Dean and Daniel Cross, as well as Kelly Duty, Town of Thurmont, responded to questions by Planning Commission members.

**Public Comment:** 0

**Decision:** Mr. Rensberger moved that the Frederick County Planning Commission reach a finding of consistency with the Town of Thurmont's Comprehensive Plan on Case # WS-22-

15. Subject property is located inside the Town of Thurmont and in their community growth area. Mr. Tressler seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-16 Andrew Fraser (DogiVillage)**

Tax Map 96, Parcel 163. 8994 Urbana Church Road. Requesting reclassification of 1.76 acres from W-5/Dev, S-5/Dev to W-3/Dev, S-3/Dev.

**Staff Presentation:** Karin Flom

Applicant representative, Bruce Dean, responded to questions by Planning Commission members.

**Public Comment:** 0

**Decision:** Mr. Rensberger moved that the Planning Commission find Case #WS-22-16 consistent with the County Comprehensive Plan. Mr. Tressler seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-18 Monocacy Boulevard EF Owner (DE), LLC (Oxford Monocacy)**

Tax Map 67I, Parcel 1355 (Parcel E&F). East side of Monocacy Boulevard west of Aviation Way in the City of Frederick. Requesting reclassification of 27.2 acres from W-5, S-5 to W-3/Dev, S-3/Dev.

**Staff Presentation:** Karin Flom

Applicant representative, Bruce Dean, was present. No questions or discussion by Planning Commission members.

**Public Comment:** 0

**Decision:** Mr. Rensberger moved that the Frederick County Planning Commission reach a finding of consistency with the City of Frederick Master Plan for the request made in Case #WS-22-18. Mr. Troutman seconded the motion that passed 7-0-0-0.



Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-19 G Kenel, LLC & S Kenel, LLC**

Tax Map 76F, Parcel 91. 6126 Jefferson Pike. Requesting reclassification of 19.6 acres from Planned Service to W-4/Dev, S-4/Dev.

**Staff Presentation:** Karin Flom

Applicant representative, Chris Smariga, was present. No questions or discussion by Planning Commission members.

**Public Comment:** 0

**Decision:** Mr. Rensberger moved that the Frederick County Planning Commission reach a finding of consistency with the County Comprehensive Plan for the request made in Case #WS-22-19. Mr. Davis seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-20 DR Acquisitions, LLC (Park Place)**

Tax Map 86, Parcels 161 (1.28 ac), 49 (0.75 ac), 50 (0.65 ac), 171 (0.25 ac). West side of Ballenger Creek Pike, 500 feet south of Corporate Drive, 5328 Ballenger Creek Pike and 5344 Ballenger Creek Pile. Requesting reclassification of 2.97 acres from Planned Service to W-4/Dev, S-4/Dev.

**Staff Presentation:** Karin Flom

Break taken 10:08 a.m. due to technical problems affecting remote participants.

Meeting resumed at 10:16 a.m., continuing with staff presentation.

Applicant representative, T. Wesley Poss, was present. No questions or discussion by Planning Commission members.

**Public Comment:** 0

**Decision:** Mr. Rensberger moved that the Frederick County Planning Commission reach a finding of consistency with the County Comprehensive Plan for the request made in Case #WS-22-20. Mr. Troutman seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-21 Ryan Trust Development LLC and DR Acquisitions LLC (England Woods).**  
Tax Map 80, Parcels 206 (36.0 ac) and 9 (55.69 ac). North side of Old National Pike, 0.36 miles west of Detrick Road in the Town of New Market. Requesting Reclassification of 91.6 acres from Planned Service to W-4/Dev, S-4/Dev.

**Staff Presentation:** Karin Flom

Staff responded to questions from Mr. Hicks.

Applicant representative, T. Wesley Poss, was present. No further questions or discussion by Planning Commission members.

**Public Comment:** 0

**Decision:** Mr. Rensberger moved that the Frederick County Planning Commission make a finding of consistency with the Town of New Market Master Plan for the request made in Case WS-22-21. Mr. Troutman seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-22 Mid-Atlantic Cooperative Solutions, Inc.**  
Tax Map 57I, Parcel 130. 8038-D Liberty Road. Requesting reclassification of 2 acres from S-5 to S-4/Dev.

**Staff Presentation:** Karin Flom

Staff responded to questions from the Planning Commission members.

Applicant representative, Mark Stires, Bowman Consulting, was present. Staff and applicant representative responded to questions from Planning Commission members.

**Public Comment: 0**

**Decision:** Mr. Rensberger moved that the Planning Commission reach a finding of consistency with the County Comprehensive Plan for the request made in Case WS-22-22. Mr. Troutman seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

**WS-22-23 Cross & Company LLC (Simmers Property)**

Tax Map 19F, Parcel 1850. East side of Apples Church Road in the Town of Thurmont. Requesting reclassification of 3.5 acres from Planned Service to W-5/Dev, S-5/Dev.

**Staff Presentation:** Karin Flom

Staff responded to questions from the Planning Commission members.

Applicant representatives Bruce Dean, Daniel Cross and John Mazelon responded to questions by Planning Commission members, as well as, Kelly Duty, Town of Thurmont.

**Public Comment: 0**

**Decision:** Mr. Rensberger moved that the Planning Commission reach a finding of consistency with the Town of Thurmont Comprehensive Plan for Case WS-22-23. Mr. Troutman seconded the motion that passed 7-0-0-0.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman	X			

Break taken at 10:50 a.m. Meeting resumed at 10:56 a.m.

Ms. Sepe said she would recuse herself from the day's Urbana agenda items.

**7. SITE PLAN**

**DECISION**

- a) Urbana 2<sup>nd</sup> Water Tower - The Applicant is requesting Site Plan approval to construct a water tower on a 3.1-acre Site. Located at 3510 Pontius Court. Tax Map 96, Parcel 8. Zoned Agricultural (A). Planning Region: Urbana. SP01-36 (AP# SP273865).  
*Graham Hubbard, Principal Planner II*



**Staff Presentation:** Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

**Applicant Presentation:**

Tom Natelli, Natelli Communities

Michael Natelli, Natelli Communities

Krista McGowan Davisson, Natelli Communities

Questions, comments, and discussion by Planning Commission members followed the applicant's presentation and comments.

Cross Examination by George Pullen, responses by Mr. Winebrenner.

**Public Comment:** None

Mr. Natelli stated that they strive to anticipate every possible thing from the outset, but plans evolve and there is an effort to work very closely with the County.

No further questions or discussion.

**Decision:** Mr. Tressler moved that the Planning Commission approve the Site Plan SP01-36, AP SP273865 with conditions as listed in the staff report for the proposed Urbana 2<sup>nd</sup> Water Tower, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Rensberger seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
*Sepe				X
White	X			
Troutman	X			

\*Recused

- b) *Urbana Town Center – The Goddard School* - The Applicant is requesting Site Plan approval to construct a 11,065 sf Child Care Center on a 1.68-acre site. Located at 3381 Sunset Ridge Drive. Tax Map 96, Parcel 267, Lot 22912. Zoned Mixed Use Development (MXD). Planning Region: Urbana. SP13-09 (AP# SP273825).  
*Graham Hubbard, Principal Planner II*

**Staff Presentation:** Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

**Applicant Presentation:**

Michael Natelli, Natelli Communities

Tom Natelli, Natelli Communities

Krista McGowan Davisson, Natelli Communities

Questions, comments, and discussion by Planning Commission members followed the applicant's presentation and comments.

**Public Comment:** None

No further questions or discussion

**Decision:** Mr. Tressler moved that the Planning Commission approve the Site Plan SP13-09 AP SP273825 with conditions and modifications as listed in the staff report for the proposed Goddard School at Urbana Town Center, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Davis seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
*Sepe				X
White	X			
Troutman	X			

\*Recused

## 8. PRELIMINARY PLAN

## DECISION

- a) *Villages of Urbana – M-1C Town Center* - The Applicant requested Preliminary Subdivision Plan approval for 43 townhouse lots on a 3.3-acre site. Located west of John Simmons St., north of Worthington Blvd., east of Bremen St., and south of Amelung St. Tax Map 96, Parcel 67. Zoned Planned Unit Development (PUD). Planning Region: Urbana. S-1065 (AP# PP270115).  
*Graham Hubbard, Principal Planner II*

**Staff Presentation:** Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

**Applicant Presentation:**

Tom Natelli, Natelli Communities  
Michael Natelli, Natelli Communities  
Krista McGowan Davisson, Natelli Communities  
Kraig Walsleben, Rodgers Consulting

Questions, comments, and discussion by Planning Commission members followed the applicant's presentation and comments.

Cross Examination by George Pullen, responses by Mr. Hubbard and Mr. Wilkins.

Cross Examination by Kevin Allen, responses by Mr. Hubbard, Mr. Wilkins and Mr. Walsleben; instruction for cross examination by Ms. Mitchell.



**Public Comment:**

In-person: 2

Live call-ins: 0

Recorded messages: 7

Lunch break taken at 12:45 p.m. Meeting resumed at 1:30 p.m. with additional Public Comment.

**Public Comment:**

In-person: 1

Live call-ins: 0

Recorded messages: 8

Rebuttal by Mr. (Tom) Natelli.

Additional questions, comments, and discussion by Planning Commission members.

**Decision:** Mr. Tressler moved that the Planning Commission approve Preliminary Subdivision Plan S-1065, PP270115 with modifications and conditions as listed in the staff report for the proposed 43 townhouse lots, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Rensberger seconded the motion that passed 5-1-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
*Sepe				X
White	X			
Troutman		X		

\*Recused

**9. SITE PLAN****DECISION**

- a) Villages of Urbana – M-1C Town Center - The Applicant is requesting Site Plan approval to construct 43 townhouses on a 3.3-acre site. Located west of John Simmons St., north of Worthington Blvd., east of Bremen St., and south of Amelung St. Tax Map 96, Parcel 67. Zoned Planned Unit Development (PUD). Planning Region: Urbana. SP01-36 (AP# SP270119).

*Graham Hubbard, Principal Planner II*

**Staff Presentation:** Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

**Applicant Presentation:**

Tom Natelli, Natelli Communities

Michael Natelli, Natelli Communities

Krista McGowan Davisson, Natelli Communities

Questions, comments, and discussion by Planning Commission members followed the applicant's presentation and comments.

Cross Examination by George Pullen, responses by Mr. Natelli.

**Public Comment:**

In-person: 3

Live call-ins: 0

Recorded messages: 2

Rebuttal by Mr. (Tom) Natelli.

Additional comments and discussion by Planning Commission members.

**Decision:** Mr. Rensberger moved that the Planning Commission approve Site Plan SP01-36, SP270119 with conditions as listed in the staff report for the proposed 43 town homes based on the findings and conclusions of the staff report and the testimony that included a review of traffic and safety prior to construction start and to work with staff to assess the heights of the three (3) proposed townhomes on Lots 1870-1872 in their relationship with the library, exhibits and documentary evidence produced at the public meeting. Mr. Troutman seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
*Sepe				X
White	X			
Troutman	X			

\*Recused

Break taken at 3:01 p.m. Meeting resumed at 3:08 p.m.

- b) Woodlands at Urbana – Parcel D - The Applicant is requesting Site Plan approval to construct a 5-story condo building on a 2.03-acre site. Located at the southeast quadrant of Urbana Parkway and Urbana Pike (MD 355). Tax Map 96, Parcels 162 and 172. Zoned Mixed Use Development (MXD). Planning Region: Urbana. SP17-11 (AP# SP273708). *Graham Hubbard, Principal Planner II*

**Staff Presentation:** Graham Hubbard

Questions, comments, and discussion by Planning Commission members followed the presentation.

**Applicant Presentation:**

Michael Natelli, Natelli Communities

Tom Natelli, Natelli Communities

Kraig Walsleben, Rodgers Consulting

Krista McGowan Davisson, Natelli Communities

Questions, comments, and discussion by Planning Commission members followed the applicant's presentation and comments.

**Public Comment:**

In-person: 1

Live call-ins: 0

Recorded messages: 0

Additional comments by Mr. Natelli

**Decision:** Mr. Rensberger moved that the Planning Commission approve Site Plan SP17-11, SP273708, with conditions as listed in the staff report for the proposed Woodlands at Urbana – Parcel D, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. White seconded the motion that passed 6-0-0-1.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair	X			
Davis-Secretary	X			
Tressler	X			
*Sepe				X
White	X			
Troutman	X			

\*Recused

**10. SUGARLOAF RURAL HERITAGE OVERLAY DISTRICT**

**WORKSHOP**

*Kimberly Gaines, Director, Livable Frederick*

*Denis Superczynski, Livable Frederick Planning Manager*

Planning Commission members shared their thoughts on the small group discussions held following the January 18, 2023 meeting. Disappointment was expressed regarding the lack of participation by Stronghold. Mr. Hicks said it is still his intention to reach out to Stronghold, either directly or through their representation to attempt to reengage with them.

Feedback from the groups was shared. Concerns about stream crossings, timber harvesting, building size, and building footprint were conveyed, along with other topics. Some participant conversation stated that the overlay was necessary to protect their environment and their green area. Others felt it was overreaching and was too restrictive.

Discussion during the workshop included the process, next steps and how to move forward with guidance from Ms. Gaines and Mr. Superczynski.

The next scheduled Sugarloaf Rural Heritage Overlay District workshop will be held March 15, 2023.

Mr. Hicks declared the meeting adjourned at 4:41 p.m.

  
Craig Hicks, Chair

4/12/23  
Date